

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

NOTICE OF MOTION
12Cr.585(KBF)

IOANNIS VIGLAKIS,
a/k/a "Pablo,"

Defendant.

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PLEASE TAKE NOTICE, that upon the papers and proceedings that constitute the record to date, the undersigned Justin Levine, Esq., counsel for Ioannis Viglakis, will move this court at the United States Courthouse, at 500 Pearl Street, New York, New York, or at a time and date to be fixed by the Court for the following relief:

1. An order dismissing the indictment due to a violation of defendant's Fifth Amendment right to due process of law.
2. An order dismissing Count Two and Three as to the statute does not allow for extraterritorial jurisdiction
3. An order dismissing Count Three because the defendant's activity does not fall within the statutory jurisdiction of 18 USC §924(c).
4. An order directing the government to provide advance notice of 404(b) material.
5. An order directing the government to provide all information that is material and favorable to the defendant pursuant to *Kyles v. Whitley*, 115 S.Ct. 1555 (1995), *Brady v. Maryland*, 373 U.S. 73 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), *United States v. Bagley*, 473 U.S. 667 (1987) and their progeny.

6. Such other and further relief this Honorable Court may deem just and proper.

Dated: New York, New York
May 27, 2013

Respectfully submitted,

Justin Levine, Esq.
Attorney for *Ioannis Viglakis*
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